

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference WO1938HGC	FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/JP2004/019139	International filing date (day/month/year) 15.12.2004	Priority date (day/month/year) 16.12.2003	
International Patent Classification (IPC) or national classification and IPC G01M11/06, B60Q1/10, B60Q1/12, B60Q11/00			
Applicant HONDA MOTOR CO., LTD. et al			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> <i>(sent to the applicant and to the International Bureau)</i> a total of sheets, as follows:</p> <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. <p>b. <input type="checkbox"/> <i>(sent to the International Bureau only)</i> a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the opinion <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application 			
Date of submission of the demand 09.05.2005	Date of completion of this report 09.11.2005		
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Aubard, S Telephone No. +49 89 2399- 6003 		

**INTERNATIONAL PRELIMINARY REPORT
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International application No.
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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
 - international search (under Rules 12.3 and 23.1(b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1-13 as originally filed

Claims, Numbers

1-4 as originally filed

Drawings, Sheets

1/6-6/6 as originally filed

a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. The amendments have resulted in the cancellation of:
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-4
	No: Claims	
Inventive step (IS)	Yes: Claims	1-4
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-4
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

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Re Item V.

1 Reference is made to the following documents:

D1 : US 2003/114974 A1 (SMITH JAMES E ET AL) 19 June 2003 (2003-06-19)
D2 : US 2003/057955 A1 (GUMBEL MATTHEW J ET AL) 27 March 2003 (2003-03-27)
D3 : US 2002/163814 A1 (HAYAMI TOSHIHISA ET AL) 7 November 2002 (2002-11-07)
D4 : EP 0 108 257 A (BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT) 16 May 1984 (1984-05-16)

2 Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document) a method of checking operation of an adaptive front lighting system (AFS) having a function of redirecting headlamp illumination in both a horizontal direction and a vertical direction in accordance with steering angle, travelling speed and incline of vehicle (see abstract and paragraph 0053).

D1 differs from the subject-matter of independent claim 1 in that the checking method of D1 does not comprise the activation of the AFS leftwards, rightwards, upwards and downwards in a predetermined sequence at a stationary state on the assembly line. The checking method of D1 consists in a posteriori reading fault codes generated by the AFS controller during on-road operation of the AFS. D1 also discloses a method of activating the AFS in a predetermined sequence (see paragraph 0025) but in order to set it in an initial position at time of ignition, not to check its proper operation (moreover the sequence does not necessarily include leftward, rightward, upward and downward motions as in claim 1 of the present application).

2.1 The subject-matter of claim 1 is therefore novel (Article 33(2) PCT)

The problem to be solved by the ~~present~~ invention may be regarded as checking the operation of an adaptive front lighting system (AFS) while the vehicle remains stationary at an inspection zone of an assembly line, prior to any on-road operation of the AFS.

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2.2 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

Document D2 discloses a checking method for the inspection of several lamps (but no AFS) on a vehicle, by which, via a pre-stored program, an ECU switches on the various light in a pre-determined sequence and at the same time, an inspection of the lamps is performed. It would require an inventive step to adapt this method to check an AFS such as in D1 because the sequence to store in the program would have to deal with the AFS only (and not several lights) and would have to involve moving the AFS in all directions (and not only turning it on).

Documents D3 and D4 do not disclose the remaining technical features of claim 1 either.